IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8374 OF 2004

Raghunath Shankar Shinde & Ors. .. Petitioners.
Vs.
Keshav Shankar Shinde & Ors. .. Respondents.

Ms.Vaidehi Kamat for the petitioners.
Mr.Umesh Mankapure for the respondents.

CORAM : D.B.BHOSALE, J.

DATED : 27TH OCTOBER, 2004

P.C.:

. Heard Ms.Kamat, learned counsel for the petitioners and Mr.Mankapure, learned counsel for the respondents.

2. Rule, returnable forthwith.

3. Mr.Mankapure, learned counsel waives service for the respondents. By consent of the parties taken up for final hearing.

4. In view of the consistent view taken by this court that the second revision under section 257 of the Maharashtra Land Revenue Code, 1966 is not maintainable, the learned counsel appearing for

the parties have agreed for following order:

(i) The order dated 26.5.2004 passed by the Principal Secretary and Officer of Special Duty (Appeals) Revenue and Forests Department in No.RTS 3603/CR.12/L-6/CR.78(7)2003/A & R is quashed and set aside.

(ii) It is open for the petitioners to challenge the orders which were impugned in the aforestated second revision in appropriate proceedings.

. The petition is disposed of.

. Rule is disposed of in the aforesaid terms.

(D.B.Bhosale, J.)